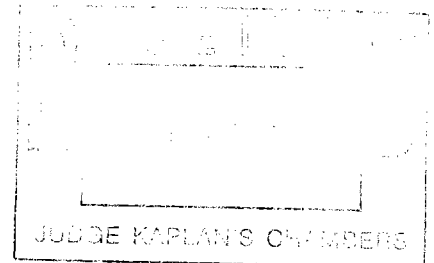
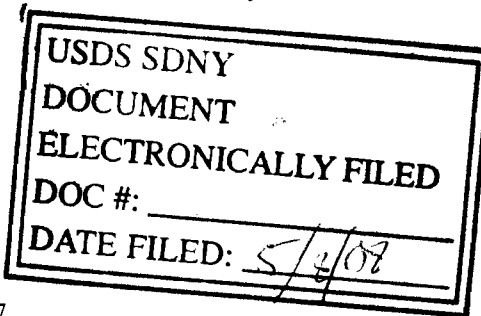


**MEMO ENDORSED****LESTER SCHWAB KATZ & DWYER, LLP**120 BROADWAY  
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May 8, 2008

By Hand

Hon. Lewis A. Kaplan  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007**Re: Hogan-Cross v. Metropolitan Life Ins. Co.**  
**No. 08 CV 00012 (LAK)**

Dear Judge Kaplan:

My firm represents defendant Metropolitan Life Insurance Company ("MetLife") in the referenced matter. I am writing to respectfully request that MetLife's time to reply to plaintiff's response to MetLife's motion to transfer venue be extended one week from May 9, 2008 to May 16, 2008. The reason for this request is that plaintiff has been granted leave to file an Amended Complaint by May 12, 2008. Logically, MetLife would like to review plaintiff's new allegations, presumably including those against IBM, before submitting its reply on the venue transfer motion.

I have conferred with plaintiff's counsel Justin Frankel, but he does not consent to this request for an extension of time.

Thank you for your kind consideration of this request.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Allan M. Marcus".

ALLAN M. MARCUS  
Of Counsel

AMM:imr

**MEMO ENDORSED**

SO ORDERED

LEWIS A. KAPLAN, USDJ

A handwritten signature in cursive script, appearing to read "Lewis A. Kaplan".

5/8/08